

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA)	
)	Case No. 4:04CR00011
)	
Plaintiff,)	
)	<u>ORDER</u>
v.)	
)	
)	By: Jackson L. Kiser
DARRYL ORLANDO POWELL)	Senior United States District Judge
)	
Defendant.)	
)	

Before this Court is the Defendant Darryl Powell's ("Powell") Motion in Limine. Oral argument on the Motion was heard on August 11, 2005. For the reasons stated on the record, Powell's Motion is GRANTED as it pertains to the testimony of Dolores Terry. As to the proposed testimony of Amanda Barksdale ("Barksdale") and Derrick Bowman ("Bowman"), such will not be admitted in the prosecution's case in chief under Federal Rule of Evidence 404(b). The Court withholds from ruling on the admissibility of their testimony in rebuttal until further details concerning their involvement are brought forth by the Government. The Court also withholds ruling on Bowman's testimony as context evidence for the ongoing activities of Powell until further information about Bowman's proposed testimony is provided.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered this 15th day of August, 2005.

s/Jackson L. Kiser
Senior United States District Judge